IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1487 OF 2005

Ajay Agarwal & Anr. ... Petitioners

V/s.

Smt. Manjit Kaur Sawhney & Ors. ... Respondents

Mr.S. R. Chitnis, Sr. Advocate for petitioners.

Mr.Q. M. Ashfaq, for respondent 1.

Mrs. A. S. Pai, APP for the State.

CORAM : SMT. RANJANA DESAI & ANOOP V. MOHTA,JJ.

DATED : 15th February, 2007

P.C.

Heard the learned counsel for the petitioners, the learned counsel for respondent 1 and the learned APP. The petitioners are the accused in Criminal Case No.2/ (I & R) of 2005 pending in the Metropolitan Magistrate's 11th Court at Kurla, Mumbai. The complaint is filed under Sections 420, 467,468, 471, 472 and 474 r/w Sections 193(1), 196 -211 of the Indian Penal Code.

2. Learned counsel for the petitioners and respondent 1 state that the petitioners and the respondents have

amicably settled the dispute and in fact the petitioners have withdrawn the complaint filed in the Kerala Court. Memorandum of Understanding is entered into by the petitioners and respondent 1. The copy of Memorandum of Understanding is tendered in this Court. The same is taken on record and marked as "X". The petitioners are present in the Court. The son of respondent 1 is present in the Court. They confirm that the matter is amicably settled. In view of the settlement and in view of the judgment of the Supreme Court in **B.S. Joshi and Ors. Vs. State of Harayana and anr. (2003) 4, Supreme Court cases, 675,** in our opinion the proceedings arising out of Criminal Case No.2(I & R) of 2005 and the order of investigation in MECR No. 1 of 2005 passed in the said complaint, deserve to be quashed and are quashed as such.

3. Petition is disposed of. Needless to say that all the Criminal Applications stand disposed of accordingly.

[SMT.RANJANA DESAI, J.]

[ANOOP V. MOHTA, J.]